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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/791,501	03/01/2004	Martin Vorbach	2885/85	1856	
²⁶⁶⁴⁶ KENYON & K	7590 11/08/200 ENYON LLP	7	EXAMINER		
ONE BROAD			TRUJILLO, JAMES K		
NEW YORK, I	NY 10004		ART UNIT	PAPER NUMBER	
			2116		
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			11/08/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

(X)

Office Action Summary The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Repty			Application No.	Applicant(s)			
James K. Trujilio 2116 James K. James H. James H	Office Action Summary		10/791,501	VORBACH ET AL.			
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Expensive for time raps be enablished and the providence of 30° CPR 1.136(a), in no event, however, may a regly be timely filled. Expensive for the specifical above, the maximum statutory periods will apply and will expire SLX (a) MONTHS from the maling date of this communication. Fallute to require specifical above, the maximum statutory periods will apply and will expire SLX (a) MONTHS from the maling date of this communication. Fallute to require within the adjustment. See 57° CPR 1.126(b). Fallute to require within the adjustment. See 57° CPR 1.126(b). Responsive to communication(s) filled on 31 August 2007. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 4:29 is/are pledied. 7) Claim(s) is/are allowed. 6) Claim(s) is/are are rejected. 7) Claim(s) is/are are rejected. 7) Claim(s) is/are rejected. 7) The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11 The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No.			Examiner	Art Unit			
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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 4-19, drawn to drawn to power control of an array of processing units, classified in class 713, subclass 300.
- II. Claims 20-29, drawn to reconfigurable computer hardware architecture, classified in class 712, subclass 15.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination I has separate utility such as power management while II does not require power management. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the

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present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In

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either instance, if the examiner finds one of the inventions unpatentable over the prior art, the

evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to James K. Trujillo whose telephone number is (571) 272-3677.

The examiner can normally be reached on M-F (8:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rehana Perveen can be reached on (571) 272-3676. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James K. Trujillo

Primary Examiner, AU 2116

Technology Center 2100

JAMES K. TRUJILLO

PRIMARY EXAMINER

6/67